

ATTACHMENT A
Remarks

Claims 1-20 are pending in the present application. By this Amendment, Applicant has amended claims 1-19 and added new claim 20. Applicant respectfully submits that the present application is in condition for allowance based on the discussion which follows.

The specification was objected to for including an informality on page 10, which recites "through 9 0." By this Amendment, Applicant has amended the specification to correct an obvious clerical error in which the degree symbol "°" was inadvertently omitted. However, based on the context of the present specification, it would have been obvious to one of ordinary skill in the art that the degree symbol was inadvertently omitted. By this Amendment, Applicant has corrected the oversight by inserting the degree symbol, accordingly.

The abstract of the disclosure was objected to for including terms such as "means" and "said." By this Amendment, Applicant has amended the abstract in accordance with M.P.E.P. § 608.01(b).

The Examiner noted that the specification did not include headings in accordance with 37 C.F.R. § 1.77(b). By this Amendment, Applicant has amended the specification to include headings, in accordance with 37 C.F.R. § 1.77(b).

The drawings were objected to for not complying with 37 C.F.R. § 1.84(p)(4), based on page 8 of the specification using the reference character "433" to designate both the tie-rods and the pin. By this Amendment, Applicant has amended the specification to correct a clerical error in which the pin was inadvertently identified as 433, instead of 463. This oversight is clear based on Figure 14 and the context in which

the pin 463 is described on page 8 of the present specification. Accordingly, the amendment to the specification does not constitute new matter. The amendment to the specification obviates the objection to the drawings under 37 C.F.R. § 1.84(p)(4).

Claims 1-19 were rejected under 35 U.S.C. § 112, second paragraph, for allegedly including indefiniteness and antecedent basis errors. By this Amendment, Applicant has amended claims 1-19, thereby obviating the rejection to the claims under 35 U.S.C. § 112, second paragraph. Applicant respectfully submits that the amended claims are in compliance with the requirements of 35 U.S.C. § 112, second paragraph.

Claims 1 and 2 were rejected under 35 U.S.C. § 102(b) as being anticipated by Abdallah (U.S. Patent No. 4,445,804) (hereinafter "Abdallah"). The Examiner alleges that Abdallah discloses a method for cutting and removing underwater pipelines. However, contrary to the Examiner's allegation, Abdallah discloses a method and an apparatus to repair a submerged pipeline (Abdallah, column 1, lines 6-100 and lines 48-51). Very specifically, Abdallah discloses a method for cutting a pipeline, for raising one of the cut extremities of the pipeline by means of lift heads and a stinger of suitable inclination, and for repairing the pipeline, as required.

Abdallah fails to teach or in any way make obvious cutting a pipeline into segments of predetermined length for recovering the cut sections, and repeating this process until all segments are removed. Further, Abdallah fails to teach or in any way make obvious providing guide means for repositioning, along the portion of the pipeline which still remains to be removed, in order to proceed with cutting a new section of pipeline. Although the Examiner alleges that Abdallah teaches the claimed repositioning step, contrary to the Examiner's assertion, Abdallah simply teaches a new

procedure for determining the position of the submerged pipeline. This step of Abdallah in no way teaches or anticipates the claimed repositioning along a portion of the pipeline of the previously cut pipeline to determine the next section to be cut and removed.

Furthermore, in sharp contrast to the method of Abdallah, the present invention, as claimed, provides for maintaining the positioning on the submerged pipeline which is still to be removed, for subsequent removal after a subsequent cut along the pipeline, and for executing the subsequent cut, thus avoiding the need to determine at a subsequent time, the position of the submerged pipeline. Accordingly, the present invention provides features and advantages not found in Abdallah, namely maintaining the position of the submerged pipeline, thus avoiding the unnecessary step of re-determining the position of the pipeline, as required by Abdallah.

In addition, the present method is in no way obvious from Abdallah, which has as its objective, a single operation for detecting, positioning, cutting and discovering one extremity of the pipeline in order to repair the extremity. The Abdallah method requires an apparatus of considerable dimension and consists of a series of individually conceived operations, which are not in any way automated. Nowhere in Abdallah is there any contemplation of a repetitiveness of operation or steps, as claimed.

Further, the present method is distinguishable over Abdallah in that the present pipeline section or segment is not lifted from the sea bottom until the segment which has been removed has been completely cut and separated from the pipeline to which it pertains.

Based on the foregoing, Applicant respectfully submits that claims 1 and 2 are not anticipated by Abdallah.

Claim 2 was rejected under 35 U.S.C. § 102(b) as being anticipated by either Gray et al. (U.S. Patent No. 5,044,827) (hereinafter "Gray") or Scodino et al. (U.S. Patent No. 4,444,528) (hereinafter "Scodino"). Contrary to the rejection, Gray clearly does not teach or in any way make obvious a means for guiding and repositioning, as claimed. Gray merely provides a clamping means (56) which serves only for securing the cutting means (50). Therefore, the clamping means (56) in no way anticipates the claimed means for guiding and repositioning, as claimed. Scodino fails to teach or in any way make obvious the claimed means for guiding and repositioning, as claimed.

Based on the foregoing, Applicant respectfully requests that the rejection to claim 2 under 35 U.S.C. § 102(b) be withdrawn.

Claims 3-6, 14-16 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Abdallah or Scodino in view of British document '648; and claims 17 and 18 were rejected as being unpatentable over Abdallah or Scodino in view of WO '059. As discussed above with regard to the rejection of claims 1 and 2 under 35 U.S.C. § 102(b), Abdallah, Gray and Scodino fail to teach or in any way make obvious the present invention. Applicant respectfully submits that the further cited references of British document '648 and WO '059 fail to make up the deficiencies of Abdallah, Gray and Scodino with regard to the present method and apparatus, as claimed. Accordingly, Applicant respectfully submits that the combined teachings of the references cited fail to make obvious the present invention for failing to teach or in any way make obvious all claim elements.

Based on the foregoing, Applicant respectfully submits that claims 3-6 and 14-19 are not obvious in view of the cited art.

Applicant gratefully appreciates the Examiner's indication of the allowable subject of claims 7-13. In view of the foregoing, Applicant respectfully submits that in view of the foregoing, all claims are in condition for allowance.

END REMARKS